UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/276,598	03/25/1999	DENISON W. BOLLAY	D-1507	2319

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/276,598	BOLLAY, DENISON W.
	Examiner	**Art Unit**	
	Naeem Haq	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *06 June 2008*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-12,18,19 and 21-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-12, 18, 19, and 21-30* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Response to Amendment

This action is in response to the Applicant's amendment filed on June 6, 2008.

Claims 1-12, 18, 19, and 21-30 are pending and will be considered for examination.

Applicant's amendments are sufficient to overcome the claim objections to claims

21, 22, 13-17, and 130 in the previous Office Action. The objections to these claims are

withdrawn.

Applicant's amendments are sufficient to overcome the rejections of claims 3, 4,

9, 12, 21, 22, and 130 under 35 U.S.C. 112, 2nd paragraph. The rejection of these

claims under 35 U.S.C. 112, 2nd paragraph is withdrawn.

Final Rejection

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claims 1-4, 7-10, and 18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bezos et al. (US 6,029,141)("Bezos") in view of Erickson (US

6,014,644) and further in view of Wiecha (US 5,870,717).

Referring to claim 1: Bezos teaches a method of processing multiple electronic

transactions at a hub server comprising:

- Maintaining a vendor product information database of product information (*Figure 1, "136"*) at said hub server (*Figure 1, "132"*);

- Said product information being accessible by a number of affiliate web sites (*col. 6, lines 31-35, line 59 – col. 7, line 20*);

- Maintaining an affiliate web site database at said hub server (*Figure 1, "160"; Figure 5, "160"*);

- Maintaining a buyer profile database of buyer information of one or more buyers, including a particular buyer, at said hub server (*Figure 1, "148"*);

- Combining stored buyer information of said particular buyer with product selection from one of said affiliate sites upon a condition that a purchase request of said particular buyer is received, resulting in combined purchase order information being sent to the hub server (*col. 7, lines 21-30; col. 14, lines 1-11*). Bezos discloses that an associate (i.e. affiliate web site) uses a URL to create a referral link (*col. 11, lines 1 and 2*). This URL contains the product ID and associate ID (*col. 8, lines 59-62; col. 11, lines 4-9*). Bezos also discloses that a URL can also be used to identify the customer (*col. 8, lines 28-31*). Thus, when the buyer clicks on the referral link (i.e. purchase request), the product ID, associate ID, and customer identity (i.e. buyer information) are combined and sent to the merchant web site.

Bezos does not teach that the product information database contains product information from multiple vendors. However, Erickson discloses a central database of a

service provider (i.e. hub server) that maintains product information from multiple

venders (*Figure 1, "16"; col. 2, line 66 – col. 3, line 7, lines 13-50; col. 7, lines 7-23, lines 46-*

67). Therefore it would have been obvious to one of ordinary skill in the art, at the time

the invention was made, to substitute the central database of Erickson for the product

database of Bezos. The technical ability to replace the database of Bezos with the

database of Erickson is well within the level of one of ordinary skill in the art (e.g.

database administrator). Moreover, the result of the substitution is predictable (i.e.

providing more products to the user to select from). The cited art does not teach

forwarding said combined purchase order information from said hub server to a vendor.

However, Wiecha teaches ordering items over a computer network by using electronic

purchase orders that are forwarded to a vendor via a server (col. 9, lines 47-53).

Therefore it would have been obvious to one of ordinary skill in the art, at the time the

invention was made, to incorporate the teachings of Wiecha into the invention of the

cited art. One of ordinary skill in the art would have been motivated to do so in order to

have the server facilitate the transaction on behalf of the client.

Referring to claim 2: The cited prior art teaches or suggests all the limitations of

claim 1 as noted above. Furthermore, Bezos teaches that the particular buyer

information is stored in said buyer profile database during a first purchase by said

particular buyer at an affiliate web site (*col. 8, lines 26-28; col. 13, lines 54-58*).

Referring to claim 3: The cited prior art teaches or suggests all the limitations of

claim 1 as noted above. Furthermore, Bezos teaches dynamically creating computer

code needed to submit a purchase request upon a condition that said particular buyer

selects a submit icon displayed on a web page; and, inserting said computer code into said web page with a tag (*col. 12, lines 14-26*).

Referring to claim 4: The cited prior art teaches or suggests all the limitations of claim 2 as noted above. Furthermore, Bezos teaches dynamically creating computer code needed to submit a purchase request upon a condition that said particular buyer selects a submit icon displayed on a web page; and, inserting said computer code into said web page with a tag (*col. 12, lines 14-26*).

Referring to claim 7: Claim 7 is rejected under the same rationale as set forth above in claim 1.

Referring to claim 8: Claim 8 is rejected under the same rationale as set forth above in claim 2.

Referring to claim 9: Claim 8 is rejected under the same rationale as set forth above in claim 3.

Referring to claim 10: Claim 10 is rejected under the same rationale as set forth above in claim 4.

Referring to claim 18: Claim 18 is rejected under the same rationale as set forth above in claim 1.

Claims 5, 6, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al. (US 6,029,141)("Bezos") in view of Erickson (US 6,014,644) and further in view of Wiecha (US 5,870,717) and Chen et al. (US 6,668,354 B1)("Chen").

Referring to claims 5 and 6: The cited prior art teaches or suggests all the limitations of claims 3 and 4 as noted above. Furthermore, Bezos teaches that the computer code is HTML (*col. 4, lines 64-67; col. 5, lines 15-40*). The cited prior art does not teach JavaScript. However, Chen teaches using JavaScript in response to a purchase order (*col. 1, lines 13-24; col. 5, lines 13-25*). Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the teachings of Chen into the cited prior art. One of ordinary skill in the art would have been motivated to do so in order to allow the different parties in the transaction to create their own display style sheets as taught by Chen (*col. 1, lines 19-24*).

Referring to claims 11 and 12: Claims 11 and 12 are rejected under the same rationale as set forth above in claims 5 and 6 respectively.

Claims 19 and 21-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al. (US 6,029,141)("Bezos") in view of Wiecha (US 5,870,717) and Hartman et al. (US 5,960,411) ("Hartman").

Referring to claims 19, 21, and 22: Bezos teaches a method of enabling multiple and different remote Internet resident affiliate web sites to allow users to effect purchases at a separate vendor web site comprising:

A. Storing, in a database at a hub server, specific buyer information (*Figure 1,*

"148");

B. Generating a number of templates, each template corresponding to a product

(or product category) to be displayed on an affiliate web page (*col. 11, line 43 – col. 12,*

line 14; Figure 6,"600", "602", "604");

C. Receiving at said hub server, a cookie, said cookie identifying a prospective

buyer, said affiliate site, said product and optionally said vendor site (*col. 5, lines 55-60;*

col. 8, lines 17-31; col. 13, line 42 – col. 14, line 11; col. 15, lines 5-16);

D. Dynamically creating a <FORM> including all information necessary to effect a

purchase transaction (*Figure 10c; col.12, lines 14-26*);

E. Returning a picture of said product with a submit image and said

to said particular user (*Figures 6 and 8*).

Bezos also teaches allowing a customer to proceed to a check-out area to order the

products from the shopping cart (*col. 12, lines 22-26*) ("…upon condition said <FORM> is

submitted to said hub server.") Bezos does not teach forwarding a purchase request for

said product to be shipped to said buyer to a vendor. However, Wiecha teaches

ordering items over a computer network by using electronic purchase orders that are

forwarded to a vendor via a server (col. 9, lines 47-53). Therefore it would have been

obvious to one of ordinary skill in the art, at the time the invention was made, to

incorporate the teachings of Wiecha into the invention of Bezos. One of ordinary skill in

the art would have been motivated to do so in order to have the server facilitate the

transaction on behalf of the client. Bezos does not teach that the buyer information

includes billing and shipping information. However, Hartman teaches a method for placing a purchase order over a network that collects and stores sufficient purchaser information to complete an order (col. 5, lines 17-20). The examiner notes that shipping and billing information are necessary to complete an online order otherwise the merchant would not be able to bill the customer for the product or ship the product to the customer. Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the teaching of Hartman into the cited prior art. One of ordinary skill in the art would have been motivated to do so in order to allow the online merchant to complete an order.

Referring to claims 23-30: Claims 23-30 are rejected under the same rationale as set forth above in claim 19.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Naeem Haq whose telephone number is (571)-272-

6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey A. Smith can be reached on (571)-272-6763. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Naeem Haq/
Primary Examiner, Art Unit 3625

August 16, 2008